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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Inventor(s): Apollon Papadimitriou

Group: 1653

Serial No. 09/853,731, filed May 11, 2001
(Ref. No. 20619 US)

Examiner: Kam, Chih Min

For: **ERYTHROPOIETIN COMPOSITION**

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Nutley, New Jersey 07110

Date April 8, 2005

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, applicants respectfully direct the Examiner's attention to the documents listed on enclosed Form PTO-1449.

Documents A11-A13 and B11 are listed on Form PTO-1449.

Enclosed is an English Translation of an Office Action issued on January 12, 2005, by the Ecuadorian Patent Office in SP 02 4352PCT application corresponding to the captioned application. The Office Actions lists Documents A1, A11-A13, B1-B4 and B11.

Serial No. 09/853,731
Filed: May 11, 2001

Documents A1, B1-B4 are not being submitted because they have been made of record in an Information Disclosure Statement sent to the USPTO on January 14, 2002. Documents A11-A13 are not being submitted because they are U.S. Patents. Document B11, which is not written in the English Language, corresponds to Document A12 and is thus also not being submitted.

Consideration of all the documents cited on Form PTO-1449 is requested.

Since the Information Disclosure Statement is submitted after the first Office Action on the merits and after three months of the filing date for the captioned application, there is enclosed a Certificate under 37 C.F.R. § 1.97(e)].

Respectfully submitted,



Attorney for Applicant(s)
Patricia S. Rocha-Tramaloni
(Reg. No. 31,054)
340 Kingsland Street
Nutley, New Jersey 07110
Telephone: (973) 235-2441
Telefax: (973) 235-2363

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Substitute for form 1449A/PTO																	
<div style="float: left; width: 40%;"><div>USCA8 3/1/01 OFFICE</div><div>INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)</div></div> <div style="float: right; width: 60%;">Complete if Known<table border="1"><tr><td>Application Number</td><td>09/853,731</td></tr><tr><td>Filing Date</td><td>May 11, 2001</td></tr><tr><td>First Name Inventor</td><td>Apollon Papadimitriou</td></tr><tr><td>Group Art Unit</td><td>1653</td></tr><tr><td>Examiner Name</td><td>Kam, Chih Min</td></tr><tr><td>Attorney Docket Number</td><td>20619 US</td></tr></table></div>						Application Number	09/853,731	Filing Date	May 11, 2001	First Name Inventor	Apollon Papadimitriou	Group Art Unit	1653	Examiner Name	Kam, Chih Min	Attorney Docket Number	20619 US
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Attorney Docket Number	20619 US																
Sheet	1	of	1														
U.S. PATENT DOCUMENTS																	
Examiner Initials'	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited document MM-DD-YYYY												
		Number	Kind Code ² (if known)														
	A11	5,099,003		Ronald Kotitschke et al	03-24-1992												
	A12	5,460,944		Norbert Franken et al	10-24-1995												
	A13	5,981,707		Lea Anne Harrington et al	11-09-1999												
FOREIGN PATENT DOCUMENTS																	
Examiner Initials'	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T ⁶										
		Office ³	Number ⁴	Kind Code ⁵ (if known)													
	B11	DE 41 35 542			Boehringer Mannheim GmbH	04-29-1993	√										
Examiner Signature		Date Considered															

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

links form with next communication to Applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation or abstract is attached.



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STATEMENT UNDER 37 CFR §1.97(e)

Nutley, New Jersey 07110

Date April 8, 2005

Mail Stop: Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify:

X That each item of information contained in the enclosed supplemental information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of this supplemental information disclosure statement.

Respectfully submitted,

Attorney for Applicant(s)
Patricia S. Rocha-Tramaloni
(Reg. No. 31,054)
340 Kingsland Street
Nutley, NJ 07110
Telephone: (973) 235-2441
Telefax: (973) 235-2363

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PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/853,731
	Filing Date	May 11, 2001
	First Named Inventor	Apollon Papadimitriou
	Art Unit	1653
	Examiner Name	Kam, Chih Min
Total Number of Pages in This Submission	Attorney Docket Number	20619 US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
English Translation of Ecuadorian Office Action, USPTO Form 1449 and Statement Under 37 CFR Section 1.97(e)		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Patricia S. Rocha-Tramaloni	
Signature		
Date	April 8, 2005	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name	Patricia S. Rocha-Tramaloni	
Signature		Date April 8, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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